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Amendment No. 5 to SB0437

**Kyle
Signature of Sponsor**

AMEND Senate Bill No. 437*

House Bill No. 787

by adding the following language at the end of the amendatory language of Section 1 of the bill:

§ 49-4-920.

(a) Net lottery proceeds remaining after funding Tennessee HOPE scholarships, Wilder-Naifeh technical skills grants, and early learning programs for fiscal years 2004-2005, 2005-2006, and 2006-2007 shall be used to provide financial assistance to students who are attending eligible postsecondary institutions in academic years 2004-2005, 2005-2006, and 2006-2007, but who are not eligible for Tennessee HOPE scholarships because such students graduated from high school, completed a home school program, or obtained a GED prior to January 2, 2003. To be eligible for such financial assistance for academic year 2004-2005, a student shall:

(1) Have graduated from a Tennessee high school after January 1, 2001; completed a home school program after January 1, 2001; or obtained a GED after January 1, 2001;

(2) Have enrolled full-time in an eligible postsecondary institution within six (6) months of graduating from high school, completing a home school program, or obtaining a GED;

(3) Have completed at least seventy-two (72) semester hours of credit at eligible postsecondary institutions, if the student graduated after January 1, 2001, but prior to January 1, 2002; and at least forty-eight (48) semester hours of credit at eligible postsecondary institutions, if the student graduated after December 31, 2001, but prior to January 2, 2003;

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(4) Have maintained satisfactory progress in a course of study in accordance with standards and practices used for federal Title IV programs by the eligible postsecondary institutions that the student has attended;

(5) Have achieved the cumulative grade point average that is required under § 49-4-910 for continuation of a Tennessee HOPE scholarship for the total semester hours that the student has attempted at any postsecondary institution attended;

(6) Meet all requirements of §§ 49-4-904 and 49-4-905(a); and

(7) Apply for such assistance for academic year 2004-2005 and file a FAFSA with TSAC.

(b) To continue to receive such financial assistance for academic year 2005-2006 or for academic year 2006-2007, a student shall:

(1) Continue to meet all applicable requirements for eligibility;

(2) Meet the requirements under § 49-4-910 for continuation of a Tennessee HOPE scholarship; and

(3) Reapply and file a FAFSA with TSAC at the end of any semester in which the student's eligibility is reviewed.

(c) A student may receive such financial assistance until the first of the following events:

(1) The student has earned a baccalaureate degree;

(2) The student has attempted at any postsecondary institution a total of one hundred twenty (120) semester hours, or one hundred thirty-six (136)

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semester hours, if the student is enrolled in an undergraduate degree program required to be more than one hundred twenty (120) semester hours in length; or

(3) The end of the spring semester of 2007.

(d) Eligibility for receipt of financial assistance under this section is contingent upon admission to and full-time enrollment at an eligible postsecondary institution.

(e) If a student ceases to be eligible for financial assistance under this section at any time for any reason, then the student shall not be able to regain such financial assistance.

(f) No financial assistance under this section shall be retroactively awarded.

(g) TSAC and THEC shall recommend for each fiscal year the amount of such financial assistance based on the estimated net lottery proceeds remaining after funding Tennessee HOPE scholarships, Wilder-Naifeh technical skills grants, and early learning programs in fiscal years 2004-2005, 2005-2006, 2006-2007. The amount of such assistance shall not exceed the amount of the Tennessee HOPE scholarship awarded to students attending the eligible postsecondary institution at which such student is enrolled.

(h) It is the intent of the general assembly that the financial assistance established under this section shall not create entitlement to such financial assistance to enable attendance at a postsecondary institution for any student.

(i) The provisions of this section shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this section unless such funds are specifically appropriated by the general appropriations act.